IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Philippe Duchaussoy et al.

Examiner: Maier, Leigh C.

Art Unit: 1623

Application No.: **10/677,894**

Filed: **10/02/2003**

Title: **SYNTHETIC POLYSACCHARIDES, PROCESS FOR THEIR PREPARATION AND PHARMACEUTICAL COMPOSITIONS CONTAINING THEM**

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Mail Stop TC1600
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

The Office Action mailed March 28, 2006, in the above-identified application, set a one-month period for response expiring April 28, 2006. The period for response is extended five months to September 25, 2006, pursuant to the accompanying Petition for Extension of Time under 37 C.F.R. 1.136(a). This response is therefore timely filed.

Claims 1-21 and 25-29 are pending in the application.

Restriction under 35 U.S.C. § 121 is asserted to be required as follows:

Group I: Claims 1-21, 27 and 28 drawn to synthetic polysaccharides, classified in class 536, subclass 122+.

Group II: Claims 25, 26 and 29, drawn to therapeutic methods comprising the administration of synthetic polysaccharides, classified in class 514, subclass 54+.

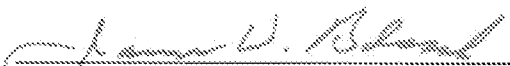
The restriction requirement is respectfully traversed and reconsideration thereof is requested. The compounds of Examiner's Groups I and II are related as product and method of use. It is submitted that Examiner's Groups I and II represent different aspects of a single inventive concept; therefore the Groups should be examined together. Furthermore, Groups I and II would only require searching two classes, class 536 and class 514; and this should not be an undue burden on the examination process.

Nonetheless, in order that this response be complete, Applicants hereby elect Examiner's Group I, and within that Group, the compound: methyl (1-4)-*O*-(2,3-di-*O*-methyl-4-*O*-sulpho-β-D-glucopyranosyluronic acid)-[(1-4)-*O*-(2,3,6-tri-*O*-sulpho-α-D-glucopyranosyl)-(1-4)-*O*-(2,3-di-*O*-methyl-β-D-glucopyranosyluronic acid)]$_4$-2,3,6-tri-*O*-sulpho-α-D-glucopyranoside, sodium salt. This is the seventh compound listed in claim 14. This species is read upon by Claims 1-21, 27 and 28 of Group I.

Reconsideration of the restriction requirement and action on the merits are requested.

Upon allowance of the above-elected subject matter, it is requested that the claims of Group II be rejoined with those of Group I when Group I is found allowable. Applicants reserve the right to pursue any remaining non-elected subject matter in one or more timely filed divisional applications.

Respectfully submitted.



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